START

Confederated Tribes and Bands
of the Yakima Indian Nation

Established by the
Treaty of June 9, 1855

June 4, 1993

Mr. Dennis Faulk, Unit Manager
Environmental Protection Agency
Region 10 Hanford Project Office
712 Swift Boulevard Suite 5
Richland, WA 99352

Subject: Riverland Expedited Response Action; Comments on--

Dear Mr. Faulk:

Included below are Yakama Indian Nation's comments on the subject action plan. (RA).

GENERAL COMMENTS:

1. The "Expedited Response Action" should include an explanation as to why the subject action is considered a "non-time critical" EPA proposal.

The Yakama Indian Nation should be consulted before, during, and after the clean up efforts, to properly involve the Nation in actions affecting Treaty Rights at Hanford. These include the right to fish, erection of temporary buildings for curing and other activities pertinent to fishing, hunting, pasturing stock, including normal up to date agricultural activities associated with this usage right, gathering of foods and medicines and retaining access to those lands in the Ceded area that are of cultural or religious significance.

In addition, ancient fishing sites and other features of archaeological significance exist in the area. These rights and resources should be protected and/or restored as necessary during clean up process.

2. In addition to ancient fishing sites along the Riverland Railway area, up until the early 1940's, Native American Yakama Indian people fished along the Columbia on what is now the Riverland Railway area. When the clean up scenario begins, the fishing sites should remain intact. The clean up process should not injure the fishing sites.

The reason that the Department of Energy prepared an "expedited response action" for the Riverland Railroad Car Wash Pit and the

Post Office Box 151, Fort Road, Toppenish, WA 98948 (509) 865-5121

600 area army munitions burial site should be stated in the subject action plan. The reasons for the (RA) are important.

As noted in the subject plan, there are some homesteads located within the Riverland area, and there is a large Native American cemetery on the Riverland Railway area of the Hanford Reservation. These sites could qualify for the National Register of Historic Places. This concern should be considered in the clean up process.

3. Several species of rare plants have been located on or near the Riverland Rail area. These include populations of Columbia milkvetch (*Astragalus columbianus*; State Threatened, Federal Candidate) which occur on the top of Umtanum Ridge above the Midway substation and along China Bar, and are well documented. The State Sensitive Piper's daisy (*Erigeron piperianus*) has been reported on Umtanum Ridge and the subject area may also provide suitable habitat for Hoover's desert parsley (*Lomatium tuberosum*; State Threatened, Federal Candidate). Columbia yellowcress (*Rorippa columbiae*; State Endangered, Federal Candidate), a wetland species with very little habitat remaining, has been reported in the vicinity of Vernita. Areas above the river may provide suitable habitat for northern wormwood (*Artemisia campestris* ssp. *borealis* var. *wormskioldii*; State Endangered, Federal Candidate). State Sensitive wetland species such as southern mudwort (*Limosella acaulis*), dense sedge (*Carex densa*), false pimpernel (*Lindernia anagallidea*) and shining flatsedge (*Cyperus rivularis*) may be present along the river's edge. Species on the State Monitor list, such as crouching milkvetch (*Astragalus succumbens*), are also present on the Riverland Railway site.

Threatened, endangered and sensitive plant species must be considered when clean up alternatives are selected. Furthermore, during the process of deciding what clean up alternative is to be implemented, the DOE should consider the effects of the different alternative actions on the many plant species identified as having cultural and religious significance to the Yakama People.

4. In addition to clean up, it is recommended that planning include re-vegetation of the area. We note that many of the areas slated for clean up have already been severely disturbed, and much of the remaining vegetation is dominated by cheat grass and noxious weeds. Restoration should include re-vegetation with native species.

5. There are several raptors in the subject action site. The clean up efforts should be designed so as not to affect the habitat of these raptors and other animals in the affect zone.

6. The past uses of the pits and ditches in and around the Riverland Rail area should be described. As indicated, some were used for disposing of diesel and cleaning solvents, but some of the ditches and pits are away from the platforms in the Riverland area. Uses for these were not made clear in the subject action.

7. We note that the time frame for clean up is around six months. The disposition for the area after it is cleaned up should be described, if actions are planned by DOE to surplus the area within five (5) years.

8. The affect of the clean up efforts on the Vernita Rest area, managed by the Washington Department of Transportation should be identified. The subject action should clarify if this area will be a part of the Riverland Railway clean up scenario. Again the disposition of the land at the rest area should be identified.

DETAILED COMMENTS ON THE SUBJECT ACTION PROPOSAL:

Pages 1-2

1. Anomalies found in and around the Rail Yard Maintenance facilities, if any, should be described. With the activity around the maintenance yards there must have been substantial debris left in the area and in the AAA areas. We note that there is no mention of anomalies in the subject action plan.

2. The floor drains in the maintenance facility discharged to some disposal facility. This facility should be identified and sampled for contamination. The ground water should also be evaluated. We note that some of the contents of petroleum were described as "heavier" than diesel. Those products should be identified. Other than radionuclides, toxic or hazardous materials potentially in the petroleum by-products should be identified. Ground and water tests for such substances identified should be accomplished to ascertain the extent of contamination in the disposal facility.

3. Tests conducted to locate anomalies in and around the Munitions Cache area should be described. In addition, tests conducted to find explosive materials in the area should be described. For example, metal detection would appear to be warranted. Remediation of the "hole in the ground" should be specified.

Page 3

4. We note that the term "no visible signs" were used to state that no hazardous waste was located at the AAA and Nike sites. Soil tests should be conducted to determine the presence of any waste at the AAA sites and Nike sites.

5. Any determination made as to why the herbicide and other pesticide containers were placed at the homestead after the Hanford Project was underway should be described. A detailed description of the inspection, if more than just a visual inspection was accomplished, should be described for the area where the empty containers were located. Clean up efforts

should be accomplished to remove the Aldrin and Dieldrin present.

6. All mounds at the H70 AAA site should be investigated. A description of the purpose of the mounds should be included in the subject action plan. Any archaeological/anthropological significance of the mounds should be identified to the Yakima Indian Nation, but should not be included in the subject document, considering the potential sensitive nature of the resource.

7. What is meant by "no vegetation stress" should be described. We consider anything less than vigorous native vegetation, to be vegetation stress. Although there are no vegetation stress signs in areas of radiological surveys, stress evident in the areas of diesel and other solvent contamination should be described. Data regarding ground water contamination caused by the organic solvents and diesel should be described. Any subsurface burial of chemicals should be identified and remediated.

Page 4

8. The contaminants of concern mentioned for the rail area do not include diesel or other cleaning solvents that may have been used in cleaning the rail cars at the maintenance facilities. Tests conducted for the existence of any oil products should be described and surveys accomplished in these areas if not already existing.

9. Although nitrates may be of concern in the artillery areas, it would appear that surveys to locate the existence of any possible unexploded ordnance in the area is also warranted. Such surveys should be accomplished and/or described in the subject action plan.

10. The meaning on page four of TPH being heavier than diesel should be clarified. Any special techniques necessary to clean up this liquid should be described.

11. Because the clean up effort will be using the Washington State Models Toxic Control Act (MCTA), the State of Washington should be involved in the oversight of this clean up. Such involvement should be identified.

Page 5

12. Since the RA was conducted, new or amended requirements implemented by the Washington State Model Toxics Control Act (MTCA) should be reviewed and observed, if any.

13. Potential new technology for clean up efforts in this area should be considered on a trial basis in this area given its low radionuclide contamination and the relatively small amounts of toxic waste.

Page 6

14. The clean up scenario of Laser Alternative appears to be the best alternative due to the relatively low disturbance of existing soil. If the xenon flash lamp is used, precautions should be taken to assure it will not injure or affect the surrounding flora or create a fire hazard.

Page 7

15. Although we concur that the hazardous materials should be removed and dispositioned off-site, the excavation and removal may disturb and possibly damage more of the soil, flora, and air in the area of proposed clean up. Actions to mitigate and otherwise minimize these effects should be specified. Only non-disruptive use of soils from other sites at Hanford should be considered.

16. The sandblasting alternative will create more waste bi-products and contaminate the air and soil. Creating more waste to clean up existing waste is counter-productive. Practices that minimize waste should be pursued. (The Laser technology may be such a process.)

Following sandblasting, disposition of the concrete structures should be accomplished. Such disposition alternatives should be identified. We recommend that the concrete structures be reduced to gravel sized material and that the rebar, if any be recycled as scrap metal, consistent with recycling as much material as possible. In any case, the concrete structures should not be allowed to remain as an aesthetic liability.

Pages 10-11

17. None of the clean up scenarios address the archaeological and anthropological concerns that exist in the 100-IU-1 area. (Refer to General Comment above.) This should be resolved.

18. According to the Evaluation of remedial alternatives, cost is not an important factor in selecting criterion for clean up (see page 5). In order to properly select from the alternative clean up alternatives, if as is stated they are equally effective, a thorough evaluation of alternatives relative to environmental and cultural issues should be accomplished. In addition, a natural resource damage assessment is warranted to assess residual injuries following clean up.

19. The issue of managerial/administrative feasibility appears to be the main difficulty in accepting the laser alternative. This issue should be resolved objectively considering the effectiveness of the technology and its ability to avoid injury to the resources.

20. The significance of the categorical exclusion (CX) under NEPA should be described for the subject action.

If there are questions or if you want to make a response to this comment paper to the Riverland Railway Expedited Response Plan please don't hesitate to call, write or fax to our office.

Sincerely,

Randall P. Tulee, Policy Analyst
Environmental Restoration/Waste Management
Yakama Indian Nation
1933 Jadwin Suite 110
Richland, WA 99352

cc: Jack Donnelly, Ecology
Dave Jansen, Ecology
Paul Pak, DOE
Jim Bauer, DOE/RL
Paul Day, EPA
Paul Grimm, EM, DOE
Jill Lytle, DOE
K. Clarke, DOE/RL
R. Jim, YIN ER/WM
M. Squeochs Dick, YIN
C. Sanchey, YIN Tribal Council
Washington Gov. Lowry
U. S. Congressman, J. Inslee
U. S. Senator, P. Murray
Joe Stohr, WA Dept of Ecology

CORRESPONDENCE DISTRIBUTION COVERSHEET

Author	Addressee	Correspondence No.
R. P. Tulee, YIN	D. A. Faulk, EPA	Incoming : 9305566

Subject: Riverland Expedited Response Action; Proposal Comments on--

INTERNAL DISTRIBUTION

Approval	Date	Name	Location	w/att
		Correspondence Control	A3-01	
		H. C. Henckel	H6-04	
		H. E. McGuire, Level I	B3-63	
		P. J. Valcich	H6-04	
		R. D. Wojtasek, Assignee	H6-27	
	(Original)	EPIC	H6-08	
		PJV LB	H6-04	
		Field File Custodian (Riverland ERA)	H6-08